

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

HOWARD KEVIN KNUSSMAN, *et al.*, *

Plaintiffs, *

v. * Civil Action No. AMD-95-1255

STATE OF MARYLAND, *et al.*, *

Defendants. *

* * * * *

DEFENDANTS' MOTION FOR ENLARGEMENT OF TIME

The defendants, by their attorneys J. Joseph Curran, Jr., Attorney General, Maureen M. Dove, Deputy Attorney General, and Betty Stemley Sconion and William F. Brockman, Assistant Attorneys General hereby submit this Motion for Enlargement of Time within which to file their response to the plaintiffs' Fee Petition (on Remand), and for reasons state as follows.

1. Pursuant to the Court's order dated April 1, 2004, the defendants were to submit their response to the plaintiffs' Fee Petition (on Remand) on or before April 22, 2004.

2. On the evening of April 22, 2004, in the course of making final revisions to the defendants' Opposition to Fee Petition (On Remand) and preparing the document and accompanying exhibits for electronic filing, undersigned counsel experienced a computer malfunction, preventing timely filing of the Opposition.

3. Because of the lateness of the hour, undersigned counsel did not attempt to contact counsel for the plaintiffs pursuant to Rule 105.9 to seek consent for a short enlargement of time within which to recover the computer file, complete the revisions and make the electronic filing.

4. Contemporaneously with this Motion for Enlargement of Time, the defendants are filing the Opposition and accompanying exhibits and respectfully ask that they be considered timely.

5. Undersigned counsel believes the half-day delay in filing the Opposition will not prejudice the plaintiffs because counsel for the plaintiffs had previously represented that he would be unable to turn his attention to preparing the plaintiffs' Reply until after April 30.

WHEREFORE, the defendants respectfully request that this Court grant an enlargement of one day's time within which to file the defendants' opposition to the plaintiffs' fee petition (on remand), so that its filing, contemporaneously with this motion, will be deemed timely.

A proposed order is attached.

Respectfully submitted,

J. JOSEPH CURRAN, JR.
Attorney General of Maryland

MAUREEN M. DOVE
Deputy Attorney General

– and –

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/s/

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Attorneys for Defendants

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of April 2004, a copy of the foregoing Motion for Enlargement of Time was served electronically on all counsel.

/s/

William Brockman